



2026:CGHC:9999



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPS No. 2082 of 2026**

Harendra Kumar Baghel S/o Shri Sagram Baghel Aged About 35 Years R/o 104, Matagudi Para, Vtc Bodanpari, Post - Badechakwa Bastar, District - Bastar, Chhattisgarh.

... Petitioner(s)**versus**

1 - State Of Chhattisgarh Through - Secretary Public Health Engineering Department, Mantralaya, Mahandi Bhawan, Atal Nagar, Nava Raipur, District - Raipur, Chhattisgarh.

2 - Engineer In Chief Public Health Engineering Department, Atal Nagar, Nava Raipur, District - Raipur, Chhattisgarh.

3 - Superintendent Engineer Public Health Engineering Department, Division - Jagdalpur, District - Bastar, Chhattisgarh.

4 - Executive Engineer Public Health Engineering Department, Division - Jagdalpur, District - Bastar, Chhattisgarh.

... Respondent(s)

For Petitioner	:	Mr. Amod Kuamr Shrivastava, Advocate
For Respondents/State:		Mr. Vivek Verma, Govt. Advocate



S.B.: Hon'ble Shri Parth Prateem Sahu, Judge
Order on Board

26/02/2026

1. Petitioner has filed this writ petition seeking following reliefs:

"10.1 The Hon'ble Court may kindly be pleased to direct Respondent Authorities to consider the case of Petitioner, regarding regularization on the post of Data Entry operator in pursuance to order of Hon'ble Supreme Court in case of Narendra Kumar Tiwari and others as well as passed in case of Jaggo Vs. Union of India.

10.2 The Hon'ble Court may kindly be pleased to directed Respondents to consider the case of Petitioner for regularization taking into account of seniority.

10.3 The Hon'ble Court may kindly be pleased to directed respondents to regularized the services of petitioner, from his junior's has been regularized.

10.4. That the cost of the petition be granted."

2. Learned counsel for petitioner submits that the petitioner was appointed as Data Entry Operator on daily wage basis. Since, the initial engagement, petitioner is continuously working on the said post on daily wage basis and as of now petitioner has completed 10 years of service on daily wage basis. He further contended that in view of the law laid down by Hon'ble Supreme Court, petitioner is also entitled for consideration for regularization of his service on the post, on which, he is working for last 10 years. He, however, submits that at this stage petitioner may be permitted to submit fresh representation before the



appropriate authorities and the said authorities be directed to take decision on the representation expeditiously thereafter.

3. Learned State counsel submits that as petitioner is not pressing this writ petition on merits and only seeking permission to submit representation to be considered by authorities, he is having no objection to the limited prayer.
4. According to petitioner, he is working as Data Entry Operator on daily wage basis for last more than 10 years and his prayer is for regularization of his service.
5. Hon'ble Supreme Court in case of **Narendra Kumar Tiwari & Others Versus State of Jharkhand & Others** reported in SCC (L&S) 2018 (2) 472 considered the issue of claim of regularization of temporary/daily wages employees, who had completed 10 years of service. Further, Hon'ble Supreme Court in case of **Jaggo Versus Union of India** reported in (2024) SCC Online SC 3826 has further observed that the government departments to lead by example in providing fair and stable employment. Engaging workers on a temporary basis for extended periods, especially when their roles are integral to the organization's functioning, not only contravenes international labour standards but also exposes the organization to legal challenges and undermines employee morale.
6. Hon'ble Supreme Court in case of **Bhola Nath Vs. The State of Jharkhand & Ors.** [SLP (Civil) No.30762 of 2024] and connected Special Leave Petitions (Civil) vide its order dated 30th January 2026 has observed thus:

“**13.2.** In the present case, the respondent-State had engaged the services of the appellants on



sanctioned posts since the year 2012. It was only towards the end of the year 2022 that the respondents communicated that no further extension of the appellants' engagement was likely to be granted.

13.3. In our considered opinion, the aforesaid action is not only vitiated by arbitrariness but is also in clear derogation of the equality principles enshrined in Article 14 of the Constitution. The respondent-State initially engaged the appellants in their youth to discharge public duties and functions. Having rendered long and dedicated service, the appellants cannot now be left to fend for themselves, particularly when the employment opportunities that may have been available to them a decade ago are no longer accessible owing to age constraints.

13.4. We are unable to discern any rational basis for the respondent-State's decision to discontinue the appellants after nearly ten years of continuous service. We are conscious that the symbiotic-relationship between the appellants and the respondent-State was mutually beneficial, the State derived the advantage of the appellants' experience and institutional familiarity, while the appellants remained in public service. In such circumstances, any departure from a long-standing practice of renewal, particularly one that frustrates the legitimate expectation of the employees, ought to be supported by cogent reasons recorded in a speaking order.

13.5. Such a decision must necessarily be a conscious and reasoned one. An employee who has satisfactorily discharged his duties over several years and has been granted repeated extensions



cannot, overnight, be treated as surplus or undesirable. We are unable to accept the justification advanced by the respondents as the obligation of the State, as a model employer, extends to fair treatment of its employees irrespective of whether their engagement is contractual or regular.”

7. Hon’ble Supreme Court in case of **Dharam Singh & Ors. Vs. State of UP & Anr.** (2025 SCC OnLine SC 1735) has strongly deprecated the culture of “ad-hocism” adopted by States in their capacity as employers. Hon’ble Supreme Court also criticized the practice of outsourcing or informalizing recruitment as a means to evade regular employment obligations, observing that such measures perpetuate precarious working conditions while circumventing fair and lawful engagement practices.
8. Hon’ble Supreme Court in case of **Bhola Nath** (supra) has further observed that the Court is unable to persuade themselves to accept the respondent-State’s contention that the mere contractual nomenclature of the appellants’ engagement denudes them of constitutional protection. It is further observed that the State having availed of the appellants’ services on sanctioned posts for long time pursuant to a due process of selection and having consistently acknowledged their satisfactory performance, cannot, in the absence of cogent reasons or a speaking decision, abruptly discontinue such engagement by taking refuge behind formal contractual clauses and held such action to be manifestly arbitrary and violation of Article 14 of the Constitution of India.



9. On due consideration of the submission of counsel for the parties, considering the nature of the claim as raised by the petitioner in this writ petition, he is continuously engaged as daily wage employee since 2015 onwards, decisions of Hon'ble Supreme Court as referred to above, this writ petition is disposed of at this stage, permitting the petitioner to submit comprehensive representation before the respondents No. 2 to 4 along with all supporting documents and if, such a representation is submitted, the concerned authorities shall consider and take decision on the representation in accordance with law expeditiously, preferably within a further period of four months from the date of receipt of representation.

Sd/-

(Parth Prateem Sahu)

Judge